

Message Text

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PAGE 01 STATE 025972
ORIGIN L-01

INFO OCT-01 ARA-10 ISO-00 H-01 SS-14 SP-02 SAB-01
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FM SECSTATE WASHDC
TO AMEMBASSY PANAMA NIACT IMMEDIATE

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E.O. 11652: N/A

TAGS: PANAMA CONSTITUTION

SUBJECT: PANAMA TREATY RATIFICATION

DEPARTMENT MUST REPLY TO SENATE ON FEBRUARY 1 IN
RESPONSE TO CERTAIN QUESTIONS ON PANAMANIAN TREATY
RATIFICATION PROCESS AND AUTHORITY TO SIGN INSTRUMENTS
OF RATIFICATION. WE PLAN TO MAKE FOLLOWING RESPONSE AND
URGENTLY NEED EMBASSY AND GOP COMMENTS AS TO ACCURACY AND
POLITICAL SUITABILITY OF FOLLOWING REPLY:

BEGIN TEXT:

1. IT IS NOT NECESSARY THAT THE PARTIES RE-SIGN THE
NEUTRALITY TREATY IF IT IS AMENDED. THE AMENDMENT CAN
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BE MADE LEGALLY EFFECTIVE BY INCORPORATION IN THE
INSTRUMENTS OF RATIFICATION.

2. AMENDMENTS(AND RESERVATIONS AND UNDERSTANDINGS)WHICH
ARE APPROVED BY THE U.S. SENATE WILL BE TEXTUALLY
INCORPORATED IN THE U.S. INSTRUMENT OF RATIFICATION.

3. PANAMA WOULD FORMALLY AGREE TO A U.S. AMENDMENT BY
ACCEPTANCE OF THE U.S. INSTRUMENT OF RATIFICATION AND

BY INCLUDING THE U.S. AMENDMENTS IN ITS INSTRUMENT OF
RATIFICATION.

4. ONLY THE PRESIDENT OF THE U.S. SIGNS THE U.S.
INSTRUMENT OF RATIFICATION, SINCE UNDER THE CONSTITUTION
THE PRESIDENT AND THE SENATE MAKE TREATIES.

5. IN THE CASE OF PANAMA WE BELIEVE THAT GENERAL
TORRIJOS AS MAXIMUM LEADER OF THE PANAMANIAN REVOLUTION
HAS THE AUTHORITY TO SIGN INSTRUMENTS OF RATIFICATION.
ARTICLE 277 OF THE CONSTITUTION OF PANAMA OF OCTOBER 11,
1972, GRANTED HIM THE AUTHORITY "TO DIRECT FOREIGN
RELATIONS" FOR SIX YEARS.

6. ARTICLE 163 OF THE CONSTITUTION, WHICH AUTHORIZES
THE PRESIDENT OF THE REPUBLIC "TO ENTER INTO INTERNATIONAL
TREATIES AND AGREEMENTS, WHICH SHALL BE SUBMITTED TO
THE NATIONAL ASSEMBLY FOR CONSIDERATION" IS NOT
APPLICABLE, AS ARTICLE 274 REQUIRES THAT CANAL TREATIES
BE APPROVED BY PLEBISCITE AND NOT BY THE NATIONAL
ASSEMBLY. END QUOTE VANCE

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TREATY RATIFICATION, CONSTITUTIONAL AMENDMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 01 feb 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: RBFINN:EDK
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Image Path:
ISecure: 1
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Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 178e6dcd-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: STADIS, LIMDIS
Original Previous Classification: n/a
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Review Content Flags:
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Review Exemptions: n/a
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TAGS: PGOV, PN
To: PANAMA
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